

**U.S. District Court [LIVE]
Eastern District of TEXAS (Tyler)
CIVIL DOCKET FOR CASE #: 6:13-cv-00712-KNM**

Adams et al v. Livingston et al
Assigned to: Magistrate Judge K. Nicole Mitchell
Case in other court: 5CA, 14-40756
Texas Southern, 3:13-cv-00217
Cause: 42:1983 Civil Rights Act

Date Filed: 09/25/2013
Date Terminated: 11/17/2014
Jury Demand: Both
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Ashley Adams
*Individually and as the representative of the
Estate of Rodney Gerald Adams*

represented by **Jeffrey S Edwards**
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Scott Medlock
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Plaintiff

Wanda Adams
Individually

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Plaintiff

Mary Lou James
Individually

represented by **Jeffrey S Edwards**
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Wayne Nicholas Krause

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Plaintiff

Carlette Hunter James

*Individually and as the representative of the
Estate of Kenneth Wayne James*

represented by **Jeffrey S Edwards**

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Scott Medlock

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Plaintiff

Krystal James

*Individually and as heir-in-law to the Estate
of Kenneth Wayne James*

represented by **Jeffrey S Edwards**

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Plaintiff

Kristy James

*Individually and as heir-in-law to the Estate
of Kenneth Wayne James*

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Plaintiff

Kendrick James

*Individually and as heir-in-law to the Estate
of Kenneth Wayne James*

represented by **Jeffrey S Edwards**

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Plaintiff

Arlette James

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Plaintiff

Jonathan James

*Individually and as heir-in-law to the Estate
of Kenneth Wayne James*

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Plaintiff

Kenneth Evans

*Individually and as heir-in-law to the Estate
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Plaintiff

Cade Hudson

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Estate of Douglas Hudson*

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Wayne Nicholas Krause

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Plaintiff

Estate of Rodney Gerald Adams

represented by **Jeffrey S Edwards**

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TERMINATED: 10/01/2013

LEAD ATTORNEY

Jeffrey Scott Edwards

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Wayne Nicholas Krause

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Plaintiff

Estate of Kenneth Wayne James

represented by **Jeffrey S Edwards**

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TERMINATED: 10/01/2013

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Plaintiff

Estate of Douglas Hudson

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

John Doe

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

Danny Washington

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Defendant

Tully Flowers

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Defendant

Doris Edwards

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Defendant

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Defendant

Revoyda Dodd

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Defendant

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Defendant

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Defendant

Lannette Linthicum, MD

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Defendant

Kathryn Buskirk, MD

represented by

Cynthia Lee Burton

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/13/2013	<u>1</u>	COMPLAINT against Robert Eason, Brad Livingston, Dennis Miller, Texas Department Of Criminal Justice, Rick Thaler, University Of Texas Medical Branch (Filing fee \$ 400 receipt number 0541-11563896) filed by Kenneth Evans, Kristy James, Wanda Adams, Ashley Adams, Krystal James, Arlette James, Cade Hudson, Kendrick James, Carlette Hunter James, Jonathan James, Kenneth Wayne James. (Attachments: # <u>1</u> Civil Cover Sheet)(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/13/2013)
06/13/2013	<u>2</u>	Request for Issuance of Summons as to Robert Eason, Brad Livingston, Dennis Miller, Texas Department Of Criminal Justice, Rick Thaler, University Of Texas Medical Branch, filed.(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/13/2013)
06/14/2013	<u>1</u>	Summons Issued as to Brad Livingston, Dennis Miller, William Stephens, Texas Department Of Criminal Justice, Rick Thaler, University Of Texas Medical Branch.(dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/14/2013)
06/14/2013	<u>1</u>	Document(s) Sent by regular mail to Scott Medlock re: <u>2</u> Summons – Request for Issuance, filed. (dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/14/2013)
06/17/2013	<u>3</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 9/18/2013 at 10:15 AM in Sixth Floor Courtroom before Judge Gregg Costa(Signed by Judge Gregg Costa) Parties notified.(dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/17/2013)
06/18/2013	<u>4</u>	CERTIFICATE OF INTERESTED PARTIES by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, filed.(Edwards, Jeffrey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/18/2013)
07/11/2013	<u>5</u>	MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> by University Of Texas Medical Branch, filed. Motion Docket Date 8/1/2013. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/11/2013)
07/23/2013	<u>6</u>	CERTIFICATE OF INTERESTED PARTIES by University Of Texas Medical Branch, filed.(Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/23/2013)
07/23/2013	<u>7</u>	RESPONSE to <u>5</u> MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Proposed Order)(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/23/2013)
07/24/2013	<u>8</u>	AMENDED Complaint with Jury Demand against All Defendants filed by Kenneth Evans, Kristy James, Wanda Adams, Ashley Adams, Krystal James, Estate of Rodney Gerald Adams, Mary Lou James, Arlette James, Cade Hudson, Estate of Douglas Hudson, Kendrick James, Carlette Hunter James, Estate of Kenneth Wayne James, Jonathan James.(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/24/2013)
07/30/2013	<u>9</u>	Request for Issuance of Summons as to Nancy Betts, Revoyda Dodd, Doris Edwards, L. Fields,

		Tully Flowers, Debra Gilmore, Reginald Goings, Robert Leonard, Brandon Matthews, Linda McKnight, Owen Murray, Joe Oliver, Sarah Raines, Matthew Seda, Danny Washington, filed.(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/30/2013)
08/02/2013	<u>1</u>	Summons Issued as to All Defendants, filed.(dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/02/2013)
08/02/2013	<u>1</u>	Document(s) Sent Summons sent by regular mail to Scott Medlock re: <u>2</u> Summons – Request for Issuance,, filed. (dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/02/2013)
08/06/2013	<u>10</u>	NOTICE of Vacation by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, filed. (Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/06/2013)
08/08/2013	<u>11</u>	ANSWER to <u>8</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Robert Eason, Dennis Miller, Texas Department Of Criminal Justice, filed.(Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/08/2013)
08/08/2013	<u>12</u>	MOTION to Transfer Case to Eastern District of Texas by Robert Eason, Brad Livingston, Dennis Miller, William Stephens, Texas Department Of Criminal Justice, Rick Thaler, filed. Motion Docket Date 8/29/2013. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/08/2013)
08/08/2013	<u>13</u>	NOTICE of Appearance by Rachael Airen on behalf of Robert Eason, Dennis Miller, Texas Department Of Criminal Justice, filed. (Airen, Rachael) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/08/2013)
08/12/2013	<u>14</u>	REPLY to Response to <u>5</u> MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> , filed by University Of Texas Medical Branch. (Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/12/2013)
08/15/2013	<u>15</u>	NOTICE of Appearance as Co–Counsel by University Of Texas Medical Branch, filed. (Molinare, Shanna) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/15/2013)
09/03/2013	<u>16</u>	NOTICE of Appearance by Demetri Anastasiadis on behalf of Brad Livingston, William Stephens, Rick Thaler, filed. (Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/03/2013)
09/03/2013	<u>17</u>	ANSWER to <u>8</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Brad Livingston, William Stephens, Rick Thaler, filed.(Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/03/2013)
09/05/2013	<u>18</u>	NOTICE of Appearance by Lacey E. Mase on behalf of University Of Texas Medical Branch, filed. (Mase, Lacey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/05/2013)
09/12/2013	<u>19</u>	RESPONSE to <u>12</u> MOTION to Transfer Case to Eastern District of Texas filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, Part 1, # <u>4</u> Exhibit C, Part 2)(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/12/2013)
09/16/2013	<u>20</u>	Agreed JOINT DISCOVERY/CASE MANAGEMENT PLAN by Robert Eason, Brad Livingston, Dennis Miller, William Stephens, Texas Department Of Criminal Justice, Rick Thaler, University Of Texas Medical Branch, filed. (Attachments: # <u>1</u> Def's Prop. Scheduling ORder, # <u>2</u> Pf's

		proposed JMP)(Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/16/2013)
09/17/2013	<u>21</u>	CERTIFICATE OF INTERESTED PARTIES by Robert Eason, Dennis Miller, Texas Department Of Criminal Justice, filed.(Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>22</u>	CERTIFICATE OF INTERESTED PARTIES by Brad Livingston, William Stephens, Rick Thaler, filed.(Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>23</u>	Joint REPLY to Response to <u>12</u> MOTION to Transfer Case to Eastern District of Texas, filed by Robert Eason, Brad Livingston, Dennis Miller, William Stephens, Texas Department Of Criminal Justice, Rick Thaler. (Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>24</u>	MOTION to Dismiss by Owen Murray, filed. Motion Docket Date 10/8/2013. (Attachments: # <u>1</u> Proposed Order)(Molinare, Shanna) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>25</u>	MOTION to Dismiss by Nancy Betts, filed. Motion Docket Date 10/8/2013. (Attachments: # <u>1</u> Proposed Order)(Molinare, Shanna) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>26</u>	ANSWER to <u>8</u> Amended Complaint/Counterclaim/Crossclaim etc., with Jury Demand by Joe Oliver, Danny Washington, filed.(Molinare, Shanna) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/18/2013	<u>27</u>	NOTICE of Appearance by Matthew J. Greer on behalf of Robert Eason, Dennis Miller, Texas Department Of Criminal Justice, filed. (Greer, Matthew) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/18/2013)
09/18/2013	<u>1</u>	Minute Entry for proceedings held before Judge Gregg Costa. SCHEDULING CONFERENCE held on 9/18/2013. The Court heard arguments on pending motions. The Court grants the Motion to Transfer Case to the Eastern District of Texas (Docket Entry No. <u>12</u>), for reasons stated on the record. Order to issue. Appearances: Scott Charles Medlock, Jeffrey S Edwards, Bruce R Garcia, Matthew J Greer, Kim J Coogan.(Court Reporter: H. Hall), filed.(arrivera, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/20/2013)
09/23/2013	<u>28</u>	ORDER TO TRANSFER CASE to Eastern District of Texas, Tyler Division (Signed by Judge Gregg Costa) Parties notified.(arrivera, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/23/2013)
09/23/2013	<u>1</u>	Interdistrict transfer to Eastern District of Texas, Tyler Division. Case transferred electronically. Case terminated on 9/23/13, filed. (arrivera, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/23/2013)
09/25/2013	<u>29</u>	Case transferred in from District of Texas Southern; Case Number 3:13-cv-00217. Original file certified copy of transfer order and docket sheet received. (Entered: 09/25/2013)
09/25/2013	<u>30</u>	NOTICE OF CASE ASSIGNMENT. This civil action is assigned to Magistrate Judge K Nicole Mitchell per General Order 13-15. (mll,) (Entered: 09/25/2013)
09/25/2013	<u>1</u>	In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding

		pro se parties, should be filed electronically using the event <i>Notice of Consent to Proceed Before Magistrate Judge</i> . (mll,) (Entered: 09/25/2013)
09/27/2013	<u>31</u>	MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 09/27/2013)
10/01/2013	<u>32</u>	ANSWER to <u>8</u> Amended Complaint, by Revoyda Dodd, Doris Edwards, Tully Flowers, Debra Gilmore, Reginald Goings, Brandon Matthews, Sarah Raines.(Garcia, Bruce) (Entered: 10/01/2013)
10/02/2013	<u>33</u>	NOTICE of Discovery Disclosure by Nancy Betts, Owen Murray, Joe Oliver, University of Texas Medical Branch, Danny Washington (Coogan, Kim) (Entered: 10/02/2013)
10/04/2013	<u>34</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Defendant Betts' Motion to Dismiss</i> by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Medlock, Scott) (Entered: 10/04/2013)
10/04/2013	<u>35</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Defendant Murray's Motion to Dismiss</i> by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Medlock, Scott) (Additional attachment(s) added on 10/7/2013: # <u>2</u> REVISED PROPOSED ORDER (no lines)) (sm,). (Entered: 10/04/2013)
10/04/2013	<u>36</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Defendant Livingston's Motion to Dismiss</i> by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Medlock, Scott) (Additional attachment(s) added on 10/7/2013: # <u>2</u> REVISED PROPOSED ORDER (no lines)) (sm,). (Additional attachment(s) added on 10/8/2013: # <u>3</u> Corrected Proposed Order) (gsg,). (Entered: 10/04/2013)
10/09/2013	<u>37</u>	NOTICE of Attorney Appearance by Kim Johnston Coogan, III on behalf of Nancy Betts, Owen Murray, Joe Oliver, University of Texas Medical Branch, Danny Washington (Coogan, Kim) (Entered: 10/09/2013)
10/11/2013	<u>38</u>	RESPONSE to Motion re <u>25</u> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 10/11/2013)
10/11/2013	<u>39</u>	RESPONSE to Motion re <u>24</u> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 10/11/2013)
10/11/2013	<u>40</u>	Opposed MOTION to Stay and Objections to Discovery Submitted to Defendants Brad Livingston, William Stephens, and Rick Thaler by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 10/11/2013)

10/24/2013	<u>41</u>	NOTICE by Revoyda Dodd, Robert Eason, Doris Edwards, Tully Flowers, Debra Gilmore, Reginald Goings, Brandon Matthews, Dennis Miller, Sarah Raines, Texas Department of Criminal Justice <i>Advisory to the Court</i> (Garcia, Bruce) (Entered: 10/24/2013)
10/24/2013	<u>42</u>	RESPONSE to <i>Discovery Submitted</i> by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 10/24/2013)
10/25/2013	<u>43</u>	RESPONSE to Motion re <u>31</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Edwards, Jeffrey) (Additional attachment(s) added on 10/30/2013: # <u>3</u> Text of Proposed Order) (gsg,). (Entered: 10/25/2013)
10/29/2013	<u>44</u>	RESPONSE to <u>43</u> Response to Motion, to Dismiss <i>on the Basis of Qualified Immunity</i> filed by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 10/29/2013)
10/30/2013	<u>45</u>	NOTICE of Discovery Disclosure by Revoyda Dodd, Robert Eason, Doris Edwards, Tully Flowers, Debra Gilmore, Reginald Goings, Brandon Matthews, Dennis Miller, Sarah Raines, Texas Department of Criminal Justice <i>Defendants' Notice of Initial Disclosure</i> (Garcia, Bruce) (Entered: 10/30/2013)
10/31/2013	<u>46</u>	REPLY to Response to Motion re <u>31</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> filed by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 10/31/2013)
11/01/2013	<u>47</u>	SUR-REPLY to Reply to Response to Motion re <u>31</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Sur-Reply)(Edwards, Jeffrey) (Entered: 11/01/2013)
11/04/2013	<u>48</u>	RESPONSE to Motion re <u>40</u> Opposed MOTION to Stay <i>and Objections to Discovery Submitted to Defendants Brad Livingston, William Stephens, and Rick Thaler</i> filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Additional attachment(s) added on 11/5/2013: # <u>2</u> Corrected Proposed Order) (gsg,). (Entered: 11/04/2013)
11/08/2013	<u>49</u>	REPLY to Response to Motion re <u>40</u> Opposed MOTION to Stay <i>and Objections to Discovery Submitted to Defendants Brad Livingston, William Stephens, and Rick Thaler</i> filed by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 11/08/2013)
11/26/2013	<u>50</u>	NOTICE of Attorney Appearance by Wayne Nicholas Krause on behalf of Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James (Krause, Wayne) (Entered: 11/26/2013)
11/26/2013	<u>51</u>	NOTICE of Attorney Appearance by Brian Rolland McGiverin on behalf of Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James (McGiverin, Brian) (Entered: 11/26/2013)

12/19/2013	<u>52</u>	NOTICE by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James re <u>14</u> Reply to Response to Motion (Attachments: # <u>1</u> Exhibit 1)(Edwards, Jeffrey) (Entered: 12/19/2013)
12/31/2013	<u>53</u>	NOTICE by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James re <u>31</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit)(Edwards, Jeffrey) (Entered: 12/31/2013)
01/03/2014	<u>54</u>	RESPONSE to <u>53</u> Notice (Other), <i>Plaintiffs' Notice of Supplemental Authority in Response to Livingston's Motion to Dismiss filed by Brad Livingston, William Stephens, Rick Thaler.</i> (Anastasiadis, Demetri) (Entered: 01/03/2014)
01/13/2014	<u>55</u>	MOTION to Dismiss by L. Fields. (Attachments: # <u>1</u> Text of Proposed Order)(Coogan, Kim) (Entered: 01/13/2014)
01/14/2014	<u>56</u>	RESPONSE to <u>52</u> Notice (Other), <i>(Response to Plaintiff's Notice of Supplemental Authority and Amended Motion to Dismiss) filed by University of Texas Medical Branch.</i> (Coogan, Kim) (Entered: 01/14/2014)
01/14/2014	<u>57</u>	Amended MOTION to Dismiss by University of Texas Medical Branch. (Attachments: # <u>1</u> Text of Proposed Order)(Coogan, Kim) (Entered: 01/14/2014)
01/16/2014	<u>58</u>	RESPONSE to Motion re <u>55</u> MOTION to Dismiss <i>filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James.</i> (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 01/16/2014)
01/16/2014	<u>59</u>	NOTICE by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James re <u>57</u> Amended MOTION to Dismiss <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit 1)(Edwards, Jeffrey) (Entered: 01/16/2014)
01/23/2014	<u>60</u>	RESPONSE to Motion re <u>57</u> Amended MOTION to Dismiss <i>filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James.</i> (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 01/23/2014)
01/29/2014	<u>61</u>	REPLY to Response to Motion re <u>55</u> MOTION to Dismiss <i>filed by L. Fields.</i> (Coogan, Kim) (Entered: 01/29/2014)
01/31/2014	<u>62</u>	NOTICE of Attorney Appearance by Maurice Lawrence Wells on behalf of Brad Livingston, William Stephens, Rick Thaler (Wells, Maurice) (Entered: 01/31/2014)
02/04/2014	<u>63</u>	MOTION to Dismiss by Linda McKnight. (Attachments: # <u>1</u> Text of Proposed Order)(Coogan, Kim) (Entered: 02/04/2014)
02/24/2014	<u>64</u>	RESPONSE to Motion re <u>63</u> MOTION to Dismiss <i>filed by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James.</i> (Attachments: # <u>1</u> Text of Proposed

		Order)(Edwards, Jeffrey) (Entered: 02/24/2014)
03/10/2014	<u>65</u>	ANSWER to <u>8</u> Amended Complaint, <i>Defendant Matthew Seda's Answer and Jury Demand</i> by Matthew Seda.(Garcia, Bruce) (Entered: 03/10/2014)
03/12/2014	<u>66</u>	<i>Defendant's ANSWER to <u>8</u> Amended Complaint, and Jury Demand</i> by Robert Leonard.(Garcia, Bruce) (Entered: 03/12/2014)
03/12/2014	<u>67</u>	NOTICE of Readiness for Scheduling Conference by Ashley Adams, Wanda Adams, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James (Edwards, Jeffrey) (Entered: 03/12/2014)
03/21/2014	<u>68</u>	AMENDED ANSWER to <i>(First) to Plaintiff's Amended Complaint</i> by Joe Oliver, Danny Washington. (Mase, Lacey) (Entered: 03/21/2014)
03/21/2014	<u>69</u>	DEMAND for Trial by Jury by Joe Oliver, Danny Washington. (Mase, Lacey) (Entered: 03/21/2014)
03/21/2014	<u>70</u>	NOTICE by Joe Oliver, Danny Washington re <u>69</u> Jury Demand <i>(Amended Certificate of Service for the Jury Demand)</i> (Mase, Lacey) (Entered: 03/21/2014)
04/01/2014	<u>71</u>	ORDERED that the Webb v Livingston et al, No. 6:13cv711; Adams et al v. Livingston et al No. 6:13cv712 and Togonidze v Livingston et al, No. 6:14cv93 are hereby consolidated for discovery and scheduling consistent with the parameters outlined herein. Filings in the consolidated action should be made to the Webb case and the caption will contain all three case numbers. Ordered that a Joint Scheduling Conference is set in the Courtroom of the undersigned at the Federal Courthouse in Tyler, Texas, at 1:30 p.m. on Monday, April 7, 2014. Ordered that the parties shall submit their proposed scheduling order by April 3, 2014; further, that the Defendants shall file their response, if any, to Plaintiff's Emergency motion to compel responses to requests for production from dft UTMB (Webb docket entry #87) by April 3, 2014, in order to take the motion up at the Joint Scheduling Conference. Signed by Magistrate Judge John D. Love on 4/1/2014. (bjc) (Entered: 04/01/2014)
04/30/2014	<u>72</u>	REPORT AND RECOMMENDATION recommending that the Executive Dfts' <u>31</u> motion to dismiss based on qualified immunity should be deferred and carried until the issue of qualified immunity may be decided. It is further recommended that the Executive dfts' <u>40</u> motion to stay and objections to discovery should be granted in part and denied in part, and that discovery strictly limited to the issue of qualified immunity should be allowed to proceed. Signed by Magistrate Judge K. Nicole Mitchell on 4/30/2014. (bjc) (Entered: 05/01/2014)
04/30/2014	<u>73</u>	ORDERED that the unopposed motions for extension of time to respond to various Dfts' motions to dismiss (docket no.'s 34, 34, and 36) are hereby granted. The responses for which the extensions were sought have been filed and are considered timely. Signed by Magistrate Judge K. Nicole Mitchell on 4/30/2014. (bjc) (Entered: 05/01/2014)
05/01/2014	<u>74</u>	Motion/Report and Recommendation Assigned to District Judge Michael H. Schneider for disposition re <u>72</u> Report and Recommendations. This case remains assigned to the magistrate judge. (mjc,) (Entered: 05/01/2014)
05/01/2014	<u>74</u>	NOTICE of Attorney Appearance by Calysta Lynn Lantiegne on behalf of University of Texas Medical Branch (Lantiegne, Calysta) (Entered: 05/01/2014)
06/12/2014	<u>75</u>	ORDER STAYING PROCEEDINGS, it is hereby ORDERED that the above-entitled and numbered consolidated cases are STAYED until time as the TDCJ Executive Defendants' interlocutory appeals are decided. Signed by Magistrate Judge John D. Love on 6/12/14. (dlc,) (Entered: 06/12/2014)

06/12/2014	<u>176</u>	MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATIONS OF THE US MAGISTRATE JUDGE. The Report of the Magistrate Judge <u>72</u> is hereby ADOPTED as the opinion of the District Court. The Executive Defendants' motion to dismiss based on qualified immunity <u>31</u> is hereby DEFERRED and CARRIED until the issue of qualified immunity may be decided. The Executive Defendants' motion to stay and objections to discovery <u>40</u> is hereby GRANTED IN PART and DENIED IN PART. Discovery limited to the issue of qualified immunity shall be allowed to proceed. Signed by Judge Michael H. Schneider on 06/12/14. (mll,) (Entered: 06/13/2014)
07/11/2014	<u>177</u>	NOTICE OF APPEAL by Brad Livingston, William Stephens, Rick Thaler. Filing fee \$ 505, receipt number 0540-4741913. (Anastasiadis, Demetri) (Entered: 07/11/2014)
07/15/2014	<u>178</u>	NOTICE of certification of eROA provided to 5th Circuit Court of Appeals as to 14-40579 (dlc,) (Entered: 06/25/2014)
07/16/2014	<u>178</u>	NOTICE of Docketing Notice of Appeal from USCA re <u>77</u> Notice of Appeal filed by William Stephens, Rick Thaler, Brad Livingston. USCA Case Number 14-40756 (dlc,) (Entered: 07/21/2014)
07/31/2014	<u>178</u>	NOTICE of certification of eROA provided to 5th Circuit Court of Appeals, USCA No. 14-40756. (dlc,) (Entered: 07/31/2014)
08/02/2014	<u>179</u>	AMENDED COMPLAINT <i>Second Amended Complaint</i> against All Defendants, filed by Kristy James, Wanda Adams, Ashley Adams, Kenneth Evans, Jonathan James, Kenneth Evans, Krystal James, Mary Lou James, Estate of Rodney Gerald Adams, Arlette James, Cade Hudson, Kendrick James, Estate of Douglas Hudson, Carlette Hunter James, Estate of Kenneth Wayne James.(Edwards, Jeffrey) (Entered: 08/02/2014)
08/05/2014	<u>180</u>	SUMMONS Issued as to Kathryn Buskirk, MD, Lannette Linthicum, MD. and emailed to pltf for service. (Attachments: # <u>1</u> Summons(es))(klb) (Entered: 08/05/2014)
08/07/2014	<u>181</u>	NOTICE by Brad Livingston, William Stephens, Rick Thaler <i>Request for Clerk's Record on Appeal (dmw)</i> (Anastasiadis, Demetri) (Entered: 08/07/2014)
09/02/2014	<u>182</u>	DEFENDANTS' ANSWER to <u>79</u> Amended Complaint, <i>TO PLAINTIFFS SECOND AMENDED COMPLAINT</i> by Kathryn Buskirk, MD, Revoyda Dodd, Robert Eason, Doris Edwards, Tully Flowers, Debra Gilmore, Reginald Goings, Robert Leonard, Lannette Linthicum, MD, Brad Livingston, Brandon Matthews, Dennis Miller, Sarah Raines, Matthew Seda, William Stephens, Texas Department of Criminal Justice, Rick Thaler.(Burton, Cynthia) (Entered: 09/02/2014)
09/16/2014	<u>183</u>	MOTION to Adjoin as Litigant in Conjunction by Charles C Taylor. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(dlc,) (Entered: 09/18/2014)
09/25/2014	<u>184</u>	Appeal Remark re <u>77</u> Notice of Appeal : The Court has granted appellants' motion to consolidate cases 14-40579, 14-40586, and 14-40756. Case No 14-40579 will be the lead case number for caption purposes. (mll,) (Entered: 09/28/2014)
11/17/2014	<u>185</u>	ORDERED that the joint motion to transfer venue (docket entry #196) is granted and the above-styled and numbered lawsuits are transferred to the Southern District of Texas, Houston Division, to be assigned to United States District Judge Keith Ellison. 28 U.S.C. § 1404(a) and Local Order 95-2.. Signed by Magistrate Judge John D. Love on 11/17/2014. (bjc,) (Entered: 11/18/2014)